

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER LIPSEY, JR.,

Plaintiff,

v.

R. DIAZ,

Defendant.

No. 1:20-cv-01010-DAD-GSA (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
THIS ACTION DUE TO PLAINTIFF'S
FAILURE TO OBEY A COURT ORDER

(Doc. No. 7)

Plaintiff Christopher Lipsey, Jr. is a state prisoner proceeding *pro se* in this civil rights action under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On November 23, 2020, the assigned magistrate judge issued findings and recommendations recommending that this action be dismissed due to plaintiff's failure to obey a court order. (Doc. No. 7.) Specifically, plaintiff has failed to comply with the court's September 29, 2020 order directing him to pay the required filing fee to proceed with this action. (Doc. No. 6.) Therefore, the magistrate judge issued findings and recommendations recommending that plaintiff's action be dismissed. (*Id.*) Those pending findings and recommendations contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 3.) To date, no objections have been filed, and the time in which to do so has since passed.

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
2 *de novo* review of this case. Having carefully reviewed the entire file, the court finds the findings
3 and recommendations to be supported by the record and by proper analysis.

4 Accordingly:

- 5 1. The findings and recommendations issued on November 23, 2020 (Doc. No. 7) are
6 adopted in full;
- 7 2. This action is dismissed, without prejudice, due to plaintiff's failure to obey a
8 court order; and
- 9 3. The Clerk of the Court is directed to close this case.

10 IT IS SO ORDERED.

11 Dated: **January 11, 2021**

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14 UNITED STATES DISTRICT JUDGE
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